IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.823 of 2006

Ghatkopar Sahyadri Nagar Co-op. Housing Society Ltd. Petitioner

versus

State of Maharashtra & others Respondents

Mr.Abhay Patki i/by Tamhane & Co. for petitioners.

Mr.G.D.Utangale i/by M/s.Utangale & Co. for respondents 3 and 4.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 15th February 2006

PC :

1. Heard Shri Patki for the petitioners and Shri Uttangale for respondents 3 and 4.

2. This petition challenges a show cause notice issued on 1st December 2005 calling upon the petitioners to show cause as to why an Administrator should not be appointed after the Managing Committee is superseded in terms of provisions referred to in the show cause notice.

3. The petitioners have replied to the show cause notice and proceedings are pending before respondent no.3.

4. In my view, in the light of this, the petition cannot be entertained. It would be open for the petitioners to raise all contentions as are raised in the present petition before respondent no.3.

5. Shri Uttangale states that the order passed by the respondent no.3, if adverse to the petitioners, would not be implemented for a period of two weeks from the date of its communication to enable the petitioners to take out appropriate proceedings. In the light of this further statement, no directions are also necessary. Petition is disposed of.

(S.C.DHARMADHIKARI, J.)